

Serial No. 09/943,078
Docket No. MIO 0083 PA

Remarks

The specification has been amended herein to make reference to commonly assigned U.S. Application Serial No. 10/215,915 entitled CONDUCTIVE STRUCTURE FOR MICROELECTRONIC DEVICES AND METHODS OF FABRICATING SUCH STRUCTURES, filed on August 8, 2002. No new matter has been added.

In the Office Action, claims 1-6, 8, 10, 15 and 45-49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Horita et al. (U.S. Patent No. 6,548,871 B1) in view of Ahn (U.S. Patent No. 6,037,248). Also in the Office Action, claim 39 was allowed, and claims 7, 9, 11, 14 and 16 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Accordingly, by the present amendment, claim 1 has been canceled and its subject matter incorporated into claims 7, 9, 11, 14 and 16. In addition, claims 8 and 10 have been canceled and their subject matter incorporated into claims 9 and 11, respectively. Claims 2, 5-6 and 45-47 have each been amended to reflect their dependency on claim 7, and claim 15 has been amended to reflect its dependency on claim 14. In addition, claims 17-28 have been canceled, which claims had been previously withdrawn from further consideration by the Examiner pursuant to 37 CFR §1.142(b), as being drawn to a nonelected species. Moreover, claims 6 and 16 have been amended to remove an unnecessary comma after "and", and claim 39 has been amended to add a semicolon in line 2, as well as to replace a semicolon with a comma in line 7. No new matter has been added.

In light of the changes made herein and the Examiner's indication of allowable subject matter, applicant submits that the rejection under §103(a) is moot, as claims 1, 8 and 10 have been canceled, and rejected claims 2-6, 15 and 45-49 include all of the limitations of the base claim to which they depend. Applicant therefore respectfully

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requests that the rejection be withdrawn. In addition, applicant gratefully acknowledges the Examiner's acceptance of the corrected drawings filed on April 25, 2003.

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Conclusion

Applicant respectfully submits that, in view of the above amendments and remarks, the application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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